

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**APPEAL FROM ORDER (ST) NO. 32237 OF 2014
WITH
CIVIL APPLICATION (ST) NO. 32238 OF 2014**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. R.K. Mishra i/b R. K. Mishra & Co. for the appellant/applicant.

Mr. S.C. Chaturvedi for the respondent.

CORAM : K. K. TATED, J.

DATED : 05/01/2015.

P.C.:

. Heard learned Counsel for the parties.

2 By this Appeal from Order, appellant original plaintiff challenges the order dated 26.11.2014 passed by the Bombay City Civil Court, Borivali Division, Dindoshi in Notice of Motion no. 2681 of 2014 rejecting ad-interim relief.

3 In the present proceeding, dispute is between father and son. On the date of passing the order the Trial Court has recorded in paragraph 11 that respondent original defendant has not filed any reply. Now, both the counsel state that pleading is completed and next date of hearing is 23.01.2015.

4 Both the Counsel state that they will not apply for adjournment on 23.01.2015 and they will go with the matter.

5 Considering the statement made by the learned counsel for the applicant before this court, Trial Court is directed to decide Notice of Motion no. 2681 of 2014 on 23.01.2015 itself on its own merits.

6 Liberty granted to the parties to file their rejoinder, if any in Notice of Motion, within one week from today and serve copy on other side.

7 In view of above mentioned facts, at present it is not necessary to entertain the present Appeal from Order, same is dismissed.

8 In view of dismissal of Appeal from Order, nothing survives in Civil Application. Hence, same is also dismissed as infructuous.

(K.K.TATED, J.)